

**AmerenUE**  
Callaway Plant

**Garry L. Randolph**  
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June 2, 2003

Secretary, Office of the Secretary of the Commission  
U. S. Nuclear Regulatory Commission  
ATTN: Rulemakings and Adjudications Staff  
Washington, DC 20555-0001



Director, Office of Nuclear Reactor Regulation  
U. S. Nuclear Regulatory Commission  
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Rockville, MD 20852

U. S. Nuclear Regulatory Commission  
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One White Flint North  
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Ladies and Gentlemen:

ULNRC-04859

**DOCKET NUMBER 50-483**  
**CALLAWAY PLANT**  
**UNION ELECTRIC COMPANY**  
**Answer, Response and Request for Clarification**  
**in Response to April 29, 2003, Order for Compensatory Measures**  
**Related to Fitness-For-Duty Enhancements**  
**Applicable to Nuclear Facility Security Force Personnel (EA-03-038)**

Reference: Letter dated April 29, 2003, from S. J. Collins, USNRC, Holders of Licenses for Operating Power Reactors, Order for Compensatory Measures Related to Fitness-for-Duty Enhancements Applicable to Nuclear Facility Security Force Personnel (EA-03-038)

By this letter Union Electric Company (AmerenUE or UE) hereby answers the April 29, 2003, Order for Compensatory Measures Related to Fitness-For-Duty Enhancements Applicable to Nuclear Facility Security Force Personnel (EA-03-038) ("Order"). Pursuant to Section IV of the Order and 10 CFR 2.202, AmerenUE

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requests an extension of time in which to submit information in response to the Order and to request a hearing. In addition, AmerenUE requests the NRC provide certain information to ensure AmerenUE fully understands the underlying bases of the Order and, therefore, can most effectively implement its individual requirements.

Section II of the Order states that, "[t]he Commission has determined that the security measures addressed by the enclosed compensatory measures are required to be implemented by licensees as prudent measures to address issues that may arise from work-hour related fatigue of nuclear facility security force personnel."

The Order does not explain the bases for the specific limits and other requirements described in the Order in sufficient detail for AmerenUE to understand the rationale for the requirements. AmerenUE therefore requests that the NRC provide: the bases for the specific limits prescribed in the Order; the bases upon which it relied to establish a linkage between the specific limits chosen and any causal relationship to fatigue that would otherwise occur if those individual or group work hour limits were to be exceeded; and information pertaining to any events or incidents where the NRC has determined that fatigue was the cause or a major contributing factor in those events or incidents.

As provided for in Section IV of the Order, good cause for granting an extension of time to respond to the Order and to request a hearing is shown in that no basis or rationale for the Order has been demonstrated. Thus, AmerenUE requests that the Director, Nuclear Reactor Regulation extend the time periods for responding to the Order (including, specifically, Sections B.1 and B.2) and for requesting a hearing from the time period specified in the Order until 35 days after the date that the NRC provides the bases for the work hour limits in the Order. Section III.C. of the Order requires that "[a]ll licensees shall, within thirty-five (35) days of the date of this Order, submit to the Commission a schedule for achieving compliance with each requirement described in Attachment 2 of the Order." Subject to the foregoing request for information concerning the bases for the Order and the request for an extension of time in accordance with Section IV, AmerenUE will achieve compliance with all applicable requirements not later than October 29, 2003.

AmerenUE also hereby confirms its understanding that the Commission intends to exercise enforcement discretion to accommodate issues which may arise as licensees, in good faith, take reasonable actions to implement the specific requirements of this Order. We further understand that the Commission will exercise enforcement discretion for the period necessary to resolve such issues, and to integrate the requirements of this Order with the orders issued February 25, 2002, as well as with other pertinent regulatory requirements, and our safeguards contingency plan, physical security plan and security officer training and qualification plan.

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This response is hereby submitted to the Commission in accordance with 10 CFR 50.4 and 10 CFR 2.202.

If you have any questions concerning this matter, please contact me at (573) 676-8245, or Mr. David Shafer at (314) 554-3104.

Sincerely,

A handwritten signature in black ink that reads "Garry Randolph". The signature is written in a cursive style with a large initial "G".

Garry Randolph

DS/GLR/mlo

cc: J. N. Donohew (NRC)  
D. N. Graves (NRC)  
T. P. Gwynn (NRC)  
Assistant General Counsel for Materials Litigation and Enforcement (NRC)  
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